

UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing
(Only for new nonprovisional applications under 37 CFR 1.53(b))

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No. 02-326-A (400.046US)

First Named Inventor James McSwiggen

Express Mail No. EV 334706731 US

APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 174]
3. ☒ Drawings [Total Sheets 4]
4. ☐ Oath or Declaration [Total Pages]
 - a. ☐ Newly executed
 - b. ☐ Copy from prior application

[Note Boxes 5 and 18 below]

 - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
 - a. ☐ Microfiche Appendix
 - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
 - a. ☒ Computer Readable Copy
 - b. ☒ Copy 1 and Copy 2, in lieu of paper copy
 - c. ☒ Statement verifying above copies
8. ☒ Small Entity Status
 - ☒ is claimed
 - ☐ Statement filed in prior application; status still proper and desired
 - ☐ is no longer claimed.

ACCOMPANYING APPLICATION PARTS

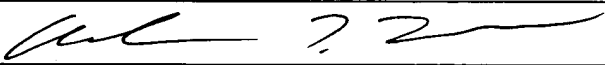
9. ☐ Assignment Papers
10. ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
 - ☐ PTO-1449 Form
 - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
17. ☒ Other: Patent Application Data Sheet, Transmittal Letter for CDs

18. ☒ This is a CONTINUING APPLICATION. Please note the following:

- a. ☒ This is a ☐ Continuation ☐ Divisional ☒ Continuation-in-part of prior (See application data sheet for complete priority information.)
- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence: This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No.
- d. ☐ The prior application is assigned of record to

UTILITY PATENT APPLICATION TRANSMITTAL

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(400.046US)

APPLICATION FEES				
BASIC FEE				\$ 770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	17 -20 =		x \$18.00	\$
Independent Claims	1 - 3 =		x \$86.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$290.00	\$
Total of above calculations =				\$ 770.00
Reduction by 50% for filing by small entity =				\$(385.00)
<input type="checkbox"/> Assignment fee if applicable			+\$40.00	\$
TOTAL =				\$ 385.00
19. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 13-2490 in the amount of \$385.00				
20. <input type="checkbox"/> A check in the amount of \$ is enclosed.				
21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:				
a. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.16.				
b. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.17.				
c. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.18.				
22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.				
23. CERTIFICATE OF MAILING				
I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.				
24. USPTO CUSTOMER NUMBER				
20306				
McDonnell Boehnen Hulbert & Berghoff				
25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED				
Name	Andrew W. Williams			
Reg. No.	48,644			
Signature				
Date	November 26, 2003			

UTIL (Rev. 11/21/00)

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-326-A (400/046US))

IN THE APPLICATION OF:

James McSwiggen

Serial No. TBA

Filed: Herewith

Title Nucleic Acid Treatment of Diseases or
Conditions Related to Levels of RAS,
HER2, and HIV

Examiner: TBA

Group Art Unit: TBA

Confirmation No.: TBA

Mail Stop New Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("02-326-A.SeqListing") submitted under 37 C.F.R. §1.52(e):

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "02-326-A.SeqListing" which is 1,286 KB in size and was created on 11/26/2003.

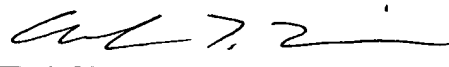
2. Statement under 37 C.F.R. § 1.821(f): The undersigned certifies that the CD-R submitted herein, titled "02-326-A.SeqListing" (COPY 1) and the copy CD-R entitled "02-326-A.SeqListing" (COPY 2) are identical in content as required by C.F.R. § 1.821(f).

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Dated: November 28, 2003

By:



Andrew W. Williams
Reg. No. 48,644

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